

109TH CONGRESS
1ST SESSION

H. R. 1217

To suspend the authority for the Western Hemisphere Institute for Security Cooperation (the successor institution to the United States Army School of the Americas) in the Department of Defense, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 2005

Mr. MCGOVERN (for himself, Mr. NUSSLE, Mr. OLVER, Mr. LAHOOD, Mr. SERRANO, Mr. PETRI, Mr. PAYNE, Mr. BOEHLERT, Mrs. LOWEY, Mr. PAUL, Mr. LANTOS, Ms. BALDWIN, Mr. FRANK of Massachusetts, Ms. WOOLSEY, Mr. KIND, Mr. GRIJALVA, Ms. SCHAKOWSKY, Mr. SANDERS, Mr. DELAHUNT, Mr. LYNCH, Mr. UDALL of New Mexico, Mrs. MALONEY, Mr. RUSH, Ms. LEE, Mr. OBERSTAR, Mr. McDERMOTT, Mr. HOLT, Mr. MOORE of Kansas, Ms. WATSON, Mr. DAVIS of Illinois, Mr. CONYERS, Mr. DEFazio, Mr. HINCHEY, Mr. DICKS, Mr. HINOJOSA, Mr. ENGEL, Mr. ABERCROMBIE, Mr. MARKEY, Mr. LARSON of Connecticut, Mr. WYNN, Mr. PALLONE, Mr. GUTIERREZ, Mr. LEWIS of Georgia, Mr. MEEHAN, Mr. ROTHMAN, Mr. EVANS, Mrs. MCCARTHY, Mr. ALLEN, Ms. WATERS, Ms. MCKINNEY, Mr. BLUMENAUER, Mr. FARR, Mr. McNULTY, Mr. CUMMINGS, Mrs. CAPPS, Ms. MOORE of Wisconsin, Mr. SABO, Ms. ZOE LOFGREN of California, Mr. PRICE of North Carolina, Mr. KUCINICH, Ms. SLAUGHTER, Mr. CLAY, Mr. VAN HOLLEN, Mr. DOGGETT, Ms. MCCOLLUM of Minnesota, Mrs. JONES of Ohio, Mr. JACKSON of Illinois, Mr. WEINER, Mr. ISRAEL, Mr. GENE GREEN of Texas, Mr. NEAL of Massachusetts, Mr. JEFFERSON, Mr. COSTELLO, Mr. KILDEE, Mr. EMANUEL, Mrs. BIGGERT, Mr. GEORGE MILLER of California, Mr. UDALL of Colorado, and Ms. EDDIE BERNICE JOHNSON of Texas) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To suspend the authority for the Western Hemisphere Institute for Security Cooperation (the successor institution

to the United States Army School of the Americas) in the Department of Defense, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Latin America Military
 5 Training Review Act of 2005”.

6 **SEC. 2. SUSPENSION OF AUTHORITY FOR WESTERN HEMI-**
 7 **SPHERE INSTITUTE FOR SECURITY CO-**
 8 **OPERATION.**

9 (a) SUSPENSION OF INSTITUTE.—The Secretary of
 10 the Army shall suspend the operation of the Western
 11 Hemisphere Institute for Security Cooperation until the
 12 submission of the report under section 4(e) of this Act.

13 (b) SUSPENSION OF AUTHORITY.—The authority of
 14 the Secretary of Defense to operate an education and
 15 training facility under section 2166 of title 10, United
 16 States Code, is suspended until the submission of the re-
 17 port under section 4(e) of this Act.

18 (c) LIMITATION ON ESTABLISHMENT OF NEW EDU-
 19 CATION AND TRAINING FACILITY.—No training or edu-
 20 cation facility may be established in the Department of
 21 Defense for Latin American military personnel (as a suc-
 22 cessor to the United States Army School of the Americas,
 23 the Western Hemisphere Institute for Security Coopera-

tion, or otherwise) until the submission of the report under section 4(e) of this Act.

SEC. 3. JOINT CONGRESSIONAL TASK FORCE.

(a) ESTABLISHMENT.—There is established a joint congressional task force to conduct an assessment of the kind of education and training that is appropriate for the Department of Defense to provide to military personnel of Latin American nations.

(b) COMPOSITION.—The task force shall be composed of eight Members of Congress, of whom two each shall be designated by the Speaker of the House of Representatives, the minority leader of the House of Representatives, the majority leader of the Senate, and the minority leader of the Senate.

(c) REPORT.—Not later than six months after the date of the enactment of this Act, the task force shall submit to Congress a report on its assessment under subsection (a). The report shall include—

(1) a critical assessment of courses, curriculum, and procedures appropriate for such education and training; and

(2) an evaluation of the effect of such education and training on the performance of Latin American military personnel in the areas of human rights and

1 adherence to democratic principles and the rule of
2 law.

3 (d) DEFINITION.—In this section, the term “Mem-
4 ber” includes a Delegate to, or Resident Commissioner,
5 in the Congress.

6 **SEC. 4. COMMISSION TO INVESTIGATE HUMAN RIGHTS**
7 **ABUSES AT THE UNITED STATES ARMY**
8 **SCHOOL OF THE AMERICAS.**

9 (a) ESTABLISHMENT.—There is established a com-
10 mission to investigate the activities of the United States
11 Army School of the Americas and its successor institution,
12 the Western Hemisphere Institute for Security Coopera-
13 tion.

14 (b) MEMBERSHIP.—

15 (1) APPOINTMENT.—The commission shall be
16 composed of eight members, of whom two each shall
17 be appointed by the Speaker of the House of Rep-
18 resentatives, the minority leader of the House of
19 Representatives, the majority leader of the Senate,
20 and the minority leader of the Senate.

21 (2) QUALIFICATIONS.—Members of the commis-
22 sion shall be selected from among individuals noted
23 for their knowledge and experience in foreign mili-
24 tary training and international human rights who

1 are not officers or employees of the Federal Govern-
2 ment.

3 (3) DEADLINE FOR APPOINTMENT.—The mem-
4 bers of the commission shall be appointed not later
5 than 60 days after the date of the enactment of this
6 Act.

7 (4) VACANCIES.—Any vacancy of the commis-
8 sion shall not affect its powers and shall be filled in
9 the manner in which the original appointment was
10 made.

11 (5) CHAIRPERSON; VICE CHAIRPERSON.—The
12 Chairperson and Vice Chairperson of the commission
13 shall be elected by the members.

14 (6) COMPENSATION.—Members of the commis-
15 sion shall serve without pay.

16 (7) TRAVEL EXPENSES.—Each member of the
17 commission shall receive travel expenses, including
18 per diem in lieu of subsistence, in accordance with
19 applicable provisions under subchapter I of chapter
20 57 of title 5, United States Code.

21 (c) POWERS.—

22 (1) HEARINGS AND SESSIONS.—The commis-
23 sion may, for the purpose of carrying out this sec-
24 tion, hold hearings, sit and act at times and places,

1 take testimony, and receive evidence as the commis-
2 sion considers appropriate.

3 (2) INFORMATION FROM FEDERAL AGENCIES.—

4 The commission may secure directly from any Fed-
5 eral department or agency such information as the
6 commission considers necessary to carry out the pro-
7 visions of this section. Upon request of the Chair-
8 person of the commission, the head of such depart-
9 ment or agency shall furnish such information to the
10 commission.

11 (d) INVESTIGATION.—Not later than two years after
12 the date on which all members of the commission have
13 been appointed, the commission shall complete an inves-
14 tigation into the activities of the United States Army
15 School of the Americas and its successor institution, the
16 Western Hemisphere Institute for Security Cooperation.
17 The investigation shall—

18 (1) identify those individuals responsible for
19 drafting or approving manuals for use at either such
20 institution advocating tactics that violate inter-
21 national law or the laws of the United States;

22 (2) determine how such manuals were used in
23 training conducted by either such institution;

24 (3) determine the effect of such training; and

1 (4) identify those individuals responsible for
2 teaching such tactics.

3 (e) REPORT.—Not later than 30 days after the com-
4 pletion of the investigation under subsection (d), the com-
5 mission shall submit to Congress and the Secretary of De-
6 fense a report containing the results of the investigation
7 and recommendations for actions in response to any viola-
8 tions of human rights to which training at the United
9 States Army School of the Americas or its successor insti-
10 tution, the Western Hemisphere Institute for Security Co-
11 operation, contributed.

12 (f) TERMINATION.—The commission shall terminate
13 30 days after the date of the submission of the report
14 under subsection (e).

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